

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JOINT INTERIM STATUS REPORT

The defendants are charged in a two-count indictment with drug violations. 21 U.S.C. §§ 846, 841(a)(1) and (b)(1)(B).

Pursuant to Local Rule 116.5(b), the parties submit the following joint status report. Counsel for the defendants have reviewed and approved.

1. Automatic Discovery and Discovery Requests

The government has provided the initial automatic discovery. There are no pending discovery requests.

2. Timing of Additional Discovery

The government anticipates providing any additional exculpatory information as provided by the Local Rules.

3. Timing of Additional Discovery Requests

The defendants request an additional four weeks to make discovery requests.

4. Protective Orders

The government has filed a request for a protective order which the Court granted. [Docket No. 13, 15].

5. Pretrial Motions

The defendants have not filed any pretrial motions under Fed. R. Crim. P. 12(b). They reserve the right to file after review of complete discovery.

6. Timing of Expert Disclosures

The Court has not yet established a date for expert witness disclosures. The government submits that expert witnesses likely to be called by the government as to the present charges include forensic chemists. The government submits that expert disclosures for the government 28 days before trial and expert disclosures for the defendants 21 days before trial should be sufficient. Defendants reserve the right to seek earlier expert disclosures if necessary, for example, for *Daubert* motions.

7. Defenses

The defendants do not intend to raise any affirmative defenses to the present charges.

8. Excludable Delay

Zero days of non-excludable time have accrued and 70 days will remain under the Act in which the case must be tried.

9. Plea Discussions, Trial

The parties have not engaged in further plea negotiations.

It is therefore difficult to assess the likelihood of trial.

Any trial is anticipated to last one to two weeks.

10. Timing of Next Status Conference

The Court may wish to cancel the Interim Status Conference scheduled for April 9, 2021, as there is no need for the hearing in light of the information set forth in this report. The Court should set another interim status conference for a date in late May 2021.

Respectfully submitted,

NATHANIEL R. MENDELL
Acting United States Attorney

By:

/s/ Theodore B. Heinrich

THEODORE B. HEINRICH
Asst. U.S. Attorney

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified in the Notice of Electronic Filing.

/s/ *Theodore B. Heinrich*

THEODORE B. HEINRICH

Assistant U.S. Attorney

April 7, 2021